

CUSTOMER NO.: 24498
Serial No. 10/666,233
Reply to Office Action dated: 10/08/04
Amendment dated: February 1, 2005

PATENT
PF020119

Remarks/Arguments

Claims 1 and 4-15 are pending in this application with new claims 16 – 22 being added for consideration.

In the Office Action dated June 28, 2004, the Examiner inadvertently noted that originally filed claim 3 included an allowable limitation. Thus, in response to that indication in the Amendment filed on September 3, 2004, Applicants cancelled claim 3 and amended claim 1 to include the limitation of originally filed claim 3. Further, the Examiner, in the present Office Action indicated that claim 3 was inexplicably misread as claim 2. Therefore, claim 1 has been amended to remove the limitation of original claim 3 from claim 1 as amended on September 3, 2004 and new claim 16 is added including the limitation of originally filed claim 3. New claim 16 is dependent on claim 1. Further, claims 4 – 12 have been amended to be dependent on new claim 16.

The Examiner indicated that claims 2, 6 – 10 and 14 – 15 are allowable if rewritten in independent form. Therefore, claim 1 is amended by this response to include the limitations of objected to claim 2 thereby placing claim 1 in condition for allowance. In view of the above remarks regarding new claim 16, and as claims 4 – 12 are dependent on new claim 16, applicants respectfully submit that claims 4 – 12 are also in condition for allowance. Applicants further respectfully submit that as claims 13 – 15 are dependent on now allowable claim 1, that claims 13 – 15 are also in condition for allowance.

New claims 17 – 22 are added for consideration. Support for new claim 17 can be found in Figure 1 and throughout the specification, specifically on pages 6 and 7. New claims 18 – 22 correspond to originally filed claims 3, 5, 6, 7 and 11 respectively. Therefore, it is respectfully submitted that no new matter is added by claims 17 – 22.

In the Drawings

The Examiner indicated that corrected drawing sheets are required in order to prevent abandonment of the application. A corrected drawing sheet is attached hereto and labeled “Replacement Sheet”. The “Replacement Sheet” includes the drawing as amended in the Amendment filed September 3, 2004. This amendment added reference

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numeral "44" to Figure 1. In view of the attached "Replacement Sheet", Applicants respectfully submit that the drawings are in compliance with 37 CFR 1.121(d).

Rejection of Claim 11 under 35 USC § 112

Claim 11 is rejected under 35 USC § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Claim 11 has been amended to be dependent on new claim 16 which includes similar limitation to original claim 3. Thus, it is respectfully submitted that all instances of indefiniteness has been removed. It is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Rejection of Claims 1, 4, 5 and 13 under 35 USC § 102

Claims 1, 4, 5 and 13 are rejected under 35 USC § 102(b) as being anticipated by British Patent No. 2,226,705.

Claim 1 has been amended to include the limitations of allowable claim 2. Therefore, as claim 2 includes an allowable limitation, Applicants respectfully submit that claim 1 is not anticipated by British Patent No. 2,226,705. Furthermore, as claims 4, 5 and 13 are dependent on independent claim 1, it is respectfully submitted that British Patent No. 2,226,705 does not anticipate claims 4, 5 and 13. Therefore, it is respectfully submitted that this rejection has been satisfied and should be withdrawn.

New claim 17 recites an adjustable satellite antenna holder comprising a first base member and a means for adjusting in elevation the antenna comprising a first coarsely adjustable support member pivotable about a first axis with respect to a second support member. A first finely adjustable support member is pivotable about the first axis with respect to the first coarsely adjustable support member. A means for adjusting in azimuth the antenna is included. The adjusting in azimuth means includes a second coarsely adjustable support member pivotable about a second axis with respect to the base member. The second support member is a second finely adjustable support member pivotable with respect to the first coarsely adjustable support member about a third axis parallel to the second axis. The first axis is perpendicular to the second axis.

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Specifically, the present invention claimed in claim 17, the coarsely adjustable support member and the finely adjustable support member of the means for adjusting the elevation of the antenna are rotatable about the same axis.

British Patent No. 2,226,705 discloses an adjustable antenna holder having motorized mounts for steering dish antennas. Herein, a means for adjusting in elevation comprises a mount member 5 coupled at one end to a head 7 receiving the dish antenna 8 for rotation about an axis 9 for fine adjustment. At the other end of the means for adjusting in elevation, an intermediate member 3 is coupled for rotation about an axis 6. The intermediate member 3 is connected to the post 1 for rotation about a horizontal pivot 4. The members 3 and 5 are part of the coarsely adjusting element. However, British Patent 2,226,705 use two horizontal axis to make the adjustment in elevation. British Patent 2,226,705 neither discloses nor suggests adjusting the elevation using a single axis as in the present claimed invention.

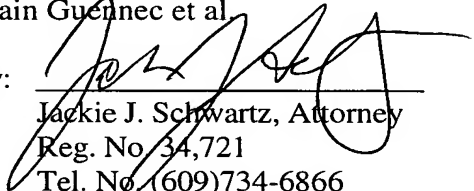
Furthermore, the coarsely and finely adjustments are done using separate members. This is unlike the present claimed invention whereby the adjustments are able to be performed with a single member. Thus, the system disclosed by British Patent 2,226,705 discloses a system that is more complex to operate and less compact than the system disclosed by the present claimed invention.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicants' attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

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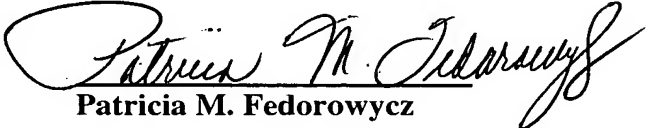
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CERTIFICATE OF MAILING under 37 C.F.R. §1.8

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: February 1, 2005


Patricia M. Fedorowycz

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IN THE DRAWINGS

Please amend the drawings as shown on the attached sheet labeled "Replacement Sheet".